IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT JAIPUR BENCH JAIPUR

O R D E R

S.B. Civil Second Appeal No.617 Of 2006.

Kalyan Dutt & Others Vs. Vishveshwar Lal & Others

Date Of Order ::: 08.12.2006.

Hon'ble Mr. Narendra Kumar Jain J.

Mr. Akhil Simlote, Counsel for defendant-appellants

By the Court :

Heard learned counsel for the defendant-appellants.

The plaintiff-respondents filed a suit for permanent injunction in respect of the disputed land, which was decreed by the learned Lower Court. The judgment and decree passed by the learned Lower Court has been affirmed by the First Appellate Court also.

I have heard the learned counsel for the defendant-appellants at length and after considering his submission in the light of the findings of both the Court below, particularly in respect of Issue No.1,

I find that the controversial issues involved in the present case are relating to the question of facts and there is concurrent finding of fact by both the Courts below, which cannot be interfered with by this Court in second appeal under Section 100 of the C.P.C.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed in limine.

(Narendra Kumar Jain) J.